

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JAMIE PESOTSKI,
Plaintiff,

v.

**WILKES-BARRE AREA SCHOOL
DISTRICT and the WILKES-BARRE
AREA SCHOOL DISTRICT BOARD
OF SCHOOL DIRECTORS,**
Defendants.

:
:
: Civil Action
:
: No. 3:23-cv-00479
:
:
: Hon. Christopher C. Conner

DEFENDANTS' MOTION TO DISMISS

Defendants, Wilkes-Barre Area School District and the Wilkes-Barre Area School District Board of School Directors, by and through their attorneys, King, Spry, Herman, Freund & Faul, LLC, respectfully move to dismiss Plaintiff's complaint pursuant to Fed.R.C.P. 12(b)(1) and Fed.R.C.P. 12(b)(6), for the reasons set forth in Defendants' Brief in Support filed contemporaneously with this Motion and adopted and incorporated by reference as though fully set forth herein.

WHEREFORE, Defendants respectfully request that this Honorable Court effectuate the attached Order.

Respectfully submitted,
King, Spry, Herman, Freund, & Faul, LLC

By: /s/ JOHN E. FREUND, III
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July 5, 2023